

OCT 25 2005

Doc Code:

PTO/SB/26 (09-04)

Approved for use 07/31/2006. OMB 0651-0031

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# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)

CV/00-013

In re Application of: **TROMBLEY III et al.**Application No.: **09/982,518**Filed: **October 18, 2001**For: **POWERED INJECTOR SYSTEMS AND INJECTOR CONTROL**

The owner\*, Medrad, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term **prior patent No. 6,866,654** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:


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- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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2. ☒ The undersigned is an attorney or agent of record, Reg. No. 34,299

  
Signature

October 25, 2005  
Date

Gregory L. Bradley  
Typed or printed name

(412) 767-2400  
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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